

FILED
JANUARY 10, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION AT CHICAGO**

08 C 227

LARRY J. COLLIER,)
)
Plaintiff,)
)
Vs.) Case No.:
)
WAL-MART STORES, INC.,)
WAL-MART REAL ESTATE BUSINESS)
TRUST, WAL-MAT ASSOCIATES, INC.,)
WAL-MART.COM USA, LLC,)
WAL-MART REALTY COMPANY,)
WAL-MART STORES EAST, INC.)
WAL-MART TRANSPORTATION, LLC)
)
Defendants.)

JUDGE COAR
MAGISTRATE JUDGE COLE

NOTICE OF REMOVAL

TO: The Judges of the United States District Court for the Northern District of Illinois,
Eastern Division at Chicago

The Petition of Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, Wal-Mart Associates, Inc., Wal-Mart.com USA, LLC, Wal-Mart Realty Company, Wal-Mart Stores East, Inc., Wal-Mart Transportation, LLC, respectfully shows:

1. On November 13, 2007, an action was commenced against the Petitioners in the Circuit Court of Cook County, State of Illinois, entitled *Larry J. Collier v. Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, Wal-Mart Associates, Inc., Wal-Mart.com USA, LLC, Wal-Mart Realty Company, Wal-Mart Stores East, Inc., Wal-Mart Transportation, LLC, Defendants*, Docket Number 07 L 12816, by service upon Petitioner, Wal-Mart Stores, Inc., of the Complaint, copies of which are attached hereto as Exhibit "A".

2. On December 28, 2007, counsel for Plaintiff tendered an answer to a request to admit indicated that the damages exceeded \$75,000. A copy of said answer is attached hereto as Exhibit "B."

3. Based upon the answer provided to the request to admit, Defendants are of the good faith belief that the amount in controversy exceeds \$75,000.00 and the above described action is a civil action of which this Court has original jurisdiction under the provisions of Title 28, United States Code § 1332 and is one which may be removed to this Court by the Petitioner. The Plaintiff and the Defendant herein, pursuant to the provisions of Title 28, United States Code § 1441 are citizens of different States. The Petitioner/Defendant, WAL-MART STORES, INC., is a Foreign Corporation, with its principal place of business in Bentonville, Arkansas. The Petitioner/Defendant, WAL-MART REAL ESTATE BUSINESS TRUST is a foreign trust. The Petitioner/Defendant, WAL-MART ASSOCIATES, INC, is a Foreign Corporation, with its principal place of business in Arkansas. The Petitioner/Defendant, WAL-MART.COM USA, LLC, is a Foreign Corporation, with its principal place of business in Arkansas. The Petitioner/Defendant, WAL-MART REALTY COMPANY, is a Foreign Corporation, with its principal place of business in Arkansas. The Petitioner/Defendant, WAL-MART STORES EAST, INC., is a Foreign Corporation, with its principal place of business in Arkansas. The Petitioner/Defendant, WAL-MART TRANSPORTATION, LLC, is a Foreign Corporation, with its principal place of business in Arkansas. Upon information and belief, the Plaintiff, LARRY J. COLLIER, is a citizen of Illinois. In addition, Defendant is of the good faith belief that Plaintiff is making claims for personal injuries, medical expenses and damages in excess of the jurisdictional amount of Seventy-Five Thousand and No/100 (\$75,000.00) Dollars exclusive of interest and costs.

4. The Petitioners pray that the above-action now pending against it in the Circuit Court of LaSalle County, State of Illinois, be removed therefrom to this Court.

Respectfully Submitted,

MOMKUS McCLUSKEY, LLC

By: /s/ Pamela L. Pierro

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